IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 24239 of 2007(I)

PETITIONER:

JEEVANANDAN, S/O.SREEDHARAN,
MELAITHULATHIL VEEDU, MUNDAKKAL,
POOVATTUPARAMBU P.O., KOZHIKODE.

BY ADV. SRI.BABU CHERUKARA
SRI.V.R.ARUN

RESPONDENTS:

---

1. THE ARBITRATOR/SPECIAL OFFICER,
IN THE COURT OF JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, KOZHIKODE, KALLAI ROAD, KOZHIKODE.

2. KOZHIKODE DISTRICT CO-OPERATIVE
BANK LTD. NO.1635, KALLAI ROAD, KOZHIKODE.
REPRESENTED BY THE GENERAL MANAGER.

R1 BY SR. GOVT.PLEADER SRI. K.J. MUHAMMED ANZAR.
R2 BY SRI. P.V. KUNHIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

- -

WP.(C) No.24239 of 2007

- -

Dated this the 9th day of August, 2007

JUDGMENT

Petitioner has approached this court challenging Ext.P1 and seeks atleast nine months time to pay off the entire amount due in Ext.P1. Petitioner availed a loan. Respondent Bank obtained an award resulting in filing of execution petition. Ext.P1 is the notice for sale of the immovable property of the petitioner's father, who is a guarantor for the loan. According to the petitioner amount is due to him for the work done under the Minor Irrigation Department, Kozhikode. He can pay off the major portion of the amount when that amount is released from the Irrigation Department, it is stated.

2. I heard learned counsel for the Bank also.

3. Having regard to all facts I feel that the proceedings against the petitioner can be kept in abeyance for a period of six months from today, so that he gets an opportunity to pay off the amount.

Accordingly the writ petition is disposed of directing that proceedings as per Ext.P1 shall be kept in abeyance for a period of six months from today in order to facilitate the petitioner to pay off the amount.

(K.M. JOSEPH, JUDGE)

sb